

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KRYSTAL SPICER, o/b/o
L.T.S., a minor,

Plaintiff,

v.

CASE NO. 15-CV-11037
HONORABLE GEORGE CARAM STEEH

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

_____ /

ORDER ACCEPTING MAGISTRATE JUDGE'S REPORT
AND RECOMMENDATION (DOC. #11) DISMISSING
PLAINTIFF'S COMPLAINT FOR FAILURE TO PROSECUTE

Plaintiff, through an attorney, filed this action on behalf of her minor son seeking judicial review of the final decision of the defendant Commissioner of Social Security. All pretrial matters were referred to the magistrate judge for a report and recommendation. (Doc. #3). On July 13, 2015, Magistrate Judge David R. Grand issued a scheduling order requiring Plaintiff's motion for summary judgment to be filed no later than August 13, 2015. (Doc. #9). Plaintiff did not file a motion. On August 21, 2013, the magistrate judge issued an order for Plaintiff to show cause in writing within fourteen days why the matter should not be dismissed for failure to prosecute. (Doc. #10). Plaintiff did not respond to the order to show cause. Thus, the magistrate judge recommends that Plaintiff's complaint be dismissed for failure to prosecute. (Doc. #11). In addition, the magistrate judge, after an independent review of the record, determined that substantial evidence supports the administrative law judge's decision denying benefits.

The magistrate judge specifically stated that any objections to his report were to be filed within 14 days of service, and that failure to file such objections constituted a waiver of any further right to appeal. See *Thomas v. Arn*, 474 U.S. 140, 155 (1985). Plaintiff has not objected to the report and recommendation.

The court has reviewed the record and the magistrate judge's report and recommendation. Finding that report and recommendation to be well-reasoned, the court hereby adopts the result recommended therein. Accordingly, Plaintiff's complaint (Doc. #1) is DISMISSED WITH PREJUDICE.

IT IS SO ORDERED.

Dated: October 14, 2015

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
October 14, 2015, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk